

CITY OF ROSENBERG

SPECIAL COUNCIL MEETING MINUTES

On this the 26th day of May, 2015, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Special Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

PRESENT

Vincent M. Morales, Jr.	Mayor
William Benton	Councilor at Large, Position 1
Cynthia McConathy	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Dwayne Grigar	Councilor, District 3
Amanda Barta	Councilor, District 4

STAFF PRESENT

Robert Gracia	City Manager
Scott M. Tschirhart	City Attorney
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager of Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Wade Goates	Fire Chief
Darrell Himly	Assistant Fire Chief
Melissa Pena	Project Director
James Lewis	Information Services Manager

CALL TO ORDER.

Mayor Morales called the meeting to order at 6:00 p.m.

GENERAL COMMENTS FROM THE AUDIENCE.

Citizens who desire to address the City Council with comments of a general nature will be received at this time. Each speaker is limited to three (3) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

AGENDA

1. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1974, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A DEVELOPMENT AGREEMENT, BY AND BETWEEN THE CITY AND THE HENDERSON-WESSENDORFF FOUNDATION.**

Executive Summary: The Henderson-Wessendorff Foundation is the owner of 80.033 acres of land, of which 72.446 acres located on the north side of U.S. Highway 59 (IH-69) between Louise Street and FM 2218 is currently being platted for Texas State Technical College (TSTC) to construct technical college campus facilities. The Plat includes 5.12 acres of proposed public right-of-way to be dedicated. The reason for this is that the City's Master Thoroughfare Plan calls for both a north-south (Graeber Road) and an east-west (Mons Avenue) collector on the property.

Normally, per City ordinance, all public streets within a development must be constructed at the time of platting. In this particular case, however, the streets are proposed to be developed in phases, with Graeber Road being completed approximately 1,000' north from IH-69 during the first phase of construction of the campus. An Agreement must be established to defer

construction of remaining phases since the property and rights-of-way are being platted all at once. In addition to giving the property owner the ability to defer said road construction, the Agreement would allow the public streets to drain through the private on-site detention to Dry Creek until the time at which this public street system connects to Dry Creek and can drain there in the future.

Additionally, the agreement provides the City with the option to require lines to be oversized to serve land outside the tract, provided that the City bears the costs of the oversizing. The City will be provided oversizing costs and then make the election whether to require the oversizing. Upon completion of the line, the City will credit applicable impact fees owed by the property owner against the oversizing costs and pay the property owner the difference up to \$100,000. Under current consideration is the oversizing of a water line from a 12-inch line to serve only this property to 16 inches that will ultimately be needed to support growth and development in this general area of the City and as a part of the City's Capital Improvements Program (CIP) to meet the Fort Bend Subsidence District mandate to reduce groundwater withdrawals by 60% in 2025. TSTC plans to receive bids on June 15, 2015 and the City will have to commit to the oversizing and provide a funding source no later than the June 16 City Council meeting. If the City elects not to oversize the line, the property owner will be authorized to build the line in a size only to serve the property. If the City elects to require the line under consideration to be oversized, the City will pay the oversizing costs minus any applicable impact fees up to \$100,000 upon completion of the line.

Staff recommends approval of Resolution No. R-1974.

Key Discussion Points: Jeanne H. McDonald, Attorney, gave an overview of the item. She pointed out that, by adding in the oversizing option now, the City positions itself to allow the adjacent tracts to develop while reducing the cost to do so in the future. Charles Kalkomey, City Engineer, added that the primary benefit of the oversizing agreement is to enable Plant #4 to connect to the rest of the system, allowing surface water from the southeast to travel along 59 to the plant. Mayor Morales explained that passage of the resolution only gives the City the option to decide whether or not to oversize the line at this time, at the City's expense but at a lower cost than would be required after TSTC completes development. However, passage of the resolution does not require that the City oversize the line, based on staff's findings after the meeting but before the June 15 deadline.

Action: Councilor Euton made a motion, seconded by Councilor Barta, to approve Resolution No. R-1974, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Development Agreement, by and between the City and the Henderson-Wessendorff Foundation. The motion carried by a unanimous vote.

2. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF TEXAS STATE TECHNICAL COLLEGE FORT BEND SECTION ONE, A SUBDIVISION OF 72.446 ACRES OF LAND SITUATED IN THE B.B.B. AND C. RAILROAD COMPANY SURVEY, SECTION 13, ABSTRACT 140, AND IN THE FRANCIS H. DEMAY SURVEY, ABSTRACT 350, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 5 RESERVES, (67.326 ACRES), 3 BLOCKS.**

Executive Summary: The Final Plat of Texas State Technical College Fort Bend Section One consists of 72.446 acres of land located on the north side of U.S. Highway 59 (IH-69) between Louise Street and FM 2218. Texas State Technical College (TSTC) has selected the site to develop a technical college campus.

The Final Plat consists of slightly less acreage than the Preliminary Plat (approved by the Planning Commission on May 20, 2015, and attached for referenced) because it contains only that acreage south of the centerline of Dry Creek, therefore having no frontage on Airport Avenue. Specifically, it consists of five (5) reserves with 67.326 acres in addition to 5.12 acres of proposed public right-of-way to be dedicated. As discussed, the reason for the latter is that the City's Master Thoroughfare Plan calls for both a north-south (Graeber Road) and an east-west (Mons Avenue) collector on this property. The streets will be developed in phases, with Graeber Road being completed up to the north line of Reserve "A" during the first phase of construction of the campus. An agreement had to be established to defer construction of the remaining phases of

the collector street/s as appropriate since the property is being platted all at once, hence the previous Agenda Item.

The proposed Final Plat is not in conflict with the "Subdivision" Ordinance, is in conformance with the City's Master Thoroughfare Plan, and is consistent with the approved Preliminary Plat. At their recent meeting, the Planning Commission recommended approval to City Council of the Final Plat of Texas State Technical College Fort Bend Section One contingent on a Development Agreement to defer construction of the remaining phases of the collector street/s. With said Agreement having been placed on the Agenda prior to this item, staff recommends approval of the Final Plat.

Key Discussion Points: Travis Tanner, Executive Director of Community Development gave an overview of the item. Charles Kalkomey answered some questions regarding the reserves of this plat, and Jeanne McDonald spoke about the associated tax rules.

Action: Councilor McConathy made a motion, seconded by Councilor Barta, to approve a Final Plat of Texas State Technical College Fort Bend Section One, a subdivision of 72.446 acres of land situated in the B.B.B. and C. Railroad Company Survey, Section 13, Abstract 140, and in the Francis H. Demay Survey, Abstract 350, City of Rosenberg, Fort Bend County, Texas; 5 reserves, (67.326 acres), 3 blocks. The motion carried by a unanimous vote.

3. **ADJOURNMENT.**

There being no further business, Mayor Morales adjourned the meeting at 6:28 p.m.


Linda Cernosek, TRMC, City Secretary